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Effective Participation? Child and Youth Welfare Services between Enhancing Capabilities, Forced Inclusion and Demands for Evidence and Effectiveness

Stefanie Albus, *Bielefeld University*

Bettina Ritter, *Bielefeld University*

1 Introduction

Participation is one of the most central concepts when it comes to the relationship between individuals and society. Being part of a societal context, having certain rights and resources, pursuing certain activities – these aspects are not only permeated by social theory, but are in particular topics of welfare state considerations (Kaufmann 2012). Participation is also given central importance in the theory and practice of Youth Welfare where different understandings of participation can be noticed. This observation makes clear that in the contemporary German Child and Youth Welfare, which is shaped by a managerialistic logic, the orientation on participation of young people has been narrowed in a specific manner. In this article we trace this current version of participation and differentiate between it as an aim indicator of inclusion and as a performance indicator of activation. We then use the historical but astonishingly timely approach by Lenhardt/Offe that offers a possible theoretical explanation for this development. It takes up the question of socio-political innovations as the ambivalent effort of effectively handling societal antagonisms. This article concludes with perspectives on progressive potential for social work.

2 Managerialised Child and Youth Welfare Services in Germany

Since the early 1990s, a managerialistic logic has found its way into the welfare state debates in Germany, which also confronted Child and Youth Welfare Services (Flösser/Otto 1992; Otto/Schnurr 2000; Olk/Otto/Backhaus-Maul 2003; Kessl 2009). This spread has been accompanied by questioning the previous legitimacy of professionality in Youth Welfare Services. Professionals are presented as ineffective, inefficient and patronizing (LeGrand 2003). In contrast, management instruments and, more generally, the business view of the world are hailed as a source of salvation (such as Otto/Ziegler 2015 or Mohr 2017 critically noted).

A central characteristic of this managerialisation is the dominance of contract logic, which implies a general mutual mistrust. Child and Youth Welfare institutions and Youth Welfare Offices are no longer two actors with a shared purpose[1]. They are now separated into purchaser on the one hand and provider on the other, the previous partners are turned into

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[1] Until then, German youth welfare had been characterized by its principle of subsidiarity, which gave priority to (non-governmental) welfare organizations in providing services for children, young people and their families, which in turn were approved by youth welfare offices in the specific individual cases and then (co)financed by the state. For decades, this special type of "outsourcing" was forcedly based on trust between youth welfare offices and institutions (Sachße 1995).

antagonists – because of the politically forced imputation that the partner only wants to maximize their own benefit (Ebers/Gotsch 2014; Jensen/Meckling 1976). From a managerialistic point of view, it would therefore be grossly negligent for the state to finance social services unconditionally, in the good faith that they will do the right thing with the money. Instead of a professional control of the services, from the business economists' point of view it requires an agreement on performances and compensations and their control. In this sense, the introduction of contract management in German Child and Youth Welfare services was accelerated at the beginning of the 1990s, above all by the KGSt, a local government association for public administrators (cf. KGSt 1993). It quickly became clear that monitoring the fulfilment of the contracts, if you want to take it seriously as a youth welfare manager, is not even that easy. This is where the difficult selection of performance indicators comes into play. The contracting parties are required to agree on specific indicators that are recognised as proof of effectiveness.

However, the search for suitable indicators is especially difficult because you have to know what should be measured (Abma/Noordegraaf 2003; Biesta 2007). It must therefore be clarified which performance is expected and which aims are to be achieved[2]. According to the law on Child and Youth Welfare in Germany, it must be ensured that children and young people are supported in their development and that they are educated to a self-reliant and community-capable personality (§1 SGB VIII). But in the current discourses and in concrete reform ideas of German Child and Youth Welfare, the concept of participation has recently also been emphasized as a central point of reference (cf. DIJUF). Hence participation of children and youth is one of the desired performance for which the modern welfare state is willing to pay. But how can it be proven that the support provided has resulted in greater participation? In the search for suitable indicators for successful participation, very different interpretations of "participation" become apparent.

3   Participation in individual rights and resources

Participation is a basically positively connoted term in German youth welfare. The insight that children and young people should have a say in institutions and decisions that affect their lives is not only due to the new childhood paradigm (Qvortrup et al. 1994), but also to enquiries of large-scale systematic repression, abuse, and denial of basic rights by Child and Youth Welfare services in the 1950s and 60s (RTH 2010). Against this background, participation rights are demanded – not only by users, but also by professional associations:

> „All children and adolescents in residential care or foster care are informed in an adequate way of their rights and which problems there might be with regard to their personal integrity, e.g. abuse, neglect, or other breaches of the law." (FICE 2012)

In Germany, the findings of the round table of residential care in the 1950/60s have also influenced the latest legal reforms in Germany, e.g. the Federal Child Protection Act of 2012. Since then, for example, the possibility for children and young people to seek advice has been legally codified. And every institution in the residential care system is now obliged to conceptually anchor opportunities for participation and complaints for children and young people. Another, more established possibility of participation is the care planning conference. For some time now, the co-determination rights in the context of care planning conferences

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[2] Bonvin and Rosenstein have made it clear that the (explicit) selection of certain goals and the selection of certain indicators also implies questions of justice (Bonvin/Rosenstein 2009).

have also come into force. Paragraph 36 of the Child and Youth Welfare Act (SGB VIII) can be seen as a sign that the voice of children and young people should be heard and taken seriously. With the introduction of care planning conferences, children, adolescents and their parents should be given the opportunity to influence the diagnosis of their problems, the choice of help and its design. In contrast to the past, this instrument was intended to counteract the authorities' lack of transparency and arbitrariness. However, various studies have made clear that paternalism and suppression also take place in care planning conferences (Greschke/Klingler 2010; Urban-Stahl 2012). But the real idea of the care planning conferences was to strengthen the user vis-à-vis the authorities and the experts (Urban 2004). But participation is also discussed as enabling and materially securing the access to leisure activities, school events and basic provision for existence. In this context, it was pointed out that child poverty means an unfair distribution of opportunities for participation and that it must be combated - among other things - with financial aid (Butterwegge 2013; Mierendorff/Olk 2003). In 2011, the federal government was forced to adopt the so-called Education and Participation Package. Since then, those in need can apply for financial subsidies, e.g. for school trips, school lunches or tutoring. However, with considerable hurdles (SFK 1/DIJUF 2013; SOFI et al. 2016). In Youth Welfare itself, the difficulty of sufficient basic material care for children and young people is surprisingly not systematically included in the discussions on problem diagnosis and the design of services. Even though it is repeatedly stressed that families who receive aid are disproportionately affected by poverty (AKJstat 2018), the aid concentrates on socio-educational aspects and thus detoxifies the fundamental problem of financial poverty. An exception are the discussions about the non-personell costs of residential care and the lump sums for foster families, which are, however, conducted away from public attention. In this context it becomes clear that adequate basic care exceeds the usual level of social assistance for children and young people (DV 2016). If one considers these two readings of participation as ideals, however, they have in common that they place the needs of the user at the centre of attention. Thus, according to Robeyns, they can be regarded as ethically respectively normative individualistic interpretations (Robeyns 2005). In contrast, ethical collectivistic interpretations tend to focus on "what users can do for the state" rather than "the state asks for the needs of its citizens". In the following two dominant interpretations of the concept of participation, which follow this logic and can often be observed in German Youth Welfare, will be discussed.

4 Participation as Inclusion and Activation

In the reality of German Child and Youth Welfare practice and here also in the contracts between the Child and Youth Welfare institutions as service providers and the Youth Welfare Offices as purchaser, successful participation is primarily determined by the extent to which the service providers succeed in integrating the children and young people into "normal" systems of society. The aim is therefore, for example, the social inclusion of children with special needs in regular schools, the integration of young NEETs in education and work, or family reunification for children and young people in out-of-home-care. The achievement of these objectives respectively the successful provision of these services is then measured by contractually agreed "inclusion" rates (ISA/Universität Bielefeld 2009; Bolay/Walther 2014). Child and Youth Welfare Services thus shifts its focus from direct support for children and young people to mediation in other systems, which in turn should ensure the development and upbringing of children and young people and their well-being. Whether these systems actually do this, is not even taken into account in this shortened understanding of inclusion and participation. A successful inclusion here is only the absence of exclusion. But how children and young people actually feel in the respective systems, how fairly resources and power are

distributed there, to what extent their wishes and needs are taken into account, is ignored by this interpretation of participation (Young 2005). So if inclusion in normal systems is seen as proof of effectiveness, social work has an obvious problem. Since the access to and structures in the systems are excluded from the grip of social work, it makes itself dependent on these systems (with all their potential deficits) (Merten 2001) if its success is determined on the basis of inclusion rates.

But they also become dependent on the user. As the core of Child and Youth Welfare is socio-educational, social work is also dependent on the cooperation of children and young people and their parents if their way of life should be changed. In pedagogical discourses, this phenomenon of dependence has been discussed under various headings (e.g. antinomy of uncertainty, technology deficit, co-production; Helsper 2008; Luhmann/Schorr 1982; Schaarschuch 1999). The managerial resolution of this socio-educational "control deficit" consists in the introduction of contracts: Here between the social worker and the children, young people and their families. In Care Planning Conferences, the users are forced to promise their willingness to participate actively and to have this willingness and active action checked on the basis of performance indicators. In this way, young people commit themselves to attend school regularly or to adhere to certain rules of life conduct (Sierwald/Strehler 2005). Co-determination rights of children and young people are thus undermined, even turned against them by using the clear power imbalance to force users to make promises of activation. In addition, the professionals are also relieving themselves of their responsibility for the success of inclusion: by focusing on the users and their active efforts towards inclusion. But the users have even less influence on the access to and the structures in the "normal" systems than the Child and Youth Welfare institutions. And unlike the institutions, the users have not contractually promised any inclusion services either. Nevertheless, in case of doubt, unsuccessful inclusion is always attributed to the user and not to the deficits in Child and Youth Welfare services or the "normal" systems.

5   The constant necessity for Social Policy to change

From a critical perspective on social work, one could now easily argue that this narrow understanding of participation is of course the control and adaptation type of aspect of social work, that critical, especially Marxist-oriented approaches have addressed since the 1970s (e.g. Hollstein 1973), and that are nowadays (more or less) included in the stock of social work knowledge (Hünersdorf 2010). But such a statement (like "social work is not only helping people but controlling them") cannot explain these specific, current socio-political changes and changes in socialpaedagogical practice. The old considerations of Lenhardt/Offe (published in German: 1977, in English: 1984) can be seen as an interesting offer to an explanation to this and to the reasons for such "political innovation" (Lenhardt/Offe 1984: 100).

Lenhardt/Offe (1984) assume that social policy is the state's approach to address the problem of the lasting transformation of non-wage-labourers into wage-labourers (Lenhardt/Offe 1984: 92). They thus try not to evolve the theory of social policy by formalistic accounts or normative concepts (like social security, social justice, etc.), but rather to develop it from the specific societal formation of capitalism.

The practise of the capitalistic principles of profit, namely the extension of trade to global market and the rationalization of labour through technical progress, including cyclical crisis, lead to the destruction of the conditions for the usage of labour power, on which, however, the

capitalist economy and therefor society is based. Since they do not control the conditions of their usage, wage workers cannot on their own ensure their reproduction – but are essential to the capitals strive for profit, it's still them producing it. Lenhardt/Offe conclude that the transformation of labour into wage labour, which (can) be offered freely on a labour market, is not at all self-evident, but highly conditional, and therefore not possible without non-stop state policies. This is not mend only as a reaction or compensation, but also in terms of ensuring the condition for a labour market. These last forms Lenhardt/Offe call 'passive' forms of proletarianization (that is for example the impossibility of alternative forms of subsistence & the regulations of the property law) (Lenhardt/Offe 1984, p. 98). On the other hand, and that is more what we were talking about here, is what they called 'active' proletarianization (Lenhardt/Offe 1984, p. 99), which means all efforts that have a direct influence to the ability that one offer one's own labour power as a market commodity. Furthermore the authors divide this reference problem into three sub-problems: „the willingness, ability and objective ‚sales prospects' of labour power" (Lenhardt/Offe 1984, p. 100). Accordingly, social policy encompasses political strategies and measures that gain for structural integration into the systems of production and reproduction and all those repression, socialisation and security policies and institutions.

They further argue that you cannot explain social policy only out of the necessity of supplying workers and their families, the degree of their collective organisation (like some needs and interest theoretical approaches do) and also not directly from the necessities of capital (like some economistic approaches do). Instead, in their perspective, the welfare state has to deal with contrary demands and necessities of these two big groups in society. While the one side wants to make a living by wage labour, the other side wants to use this labour power to gain their profit – therefor it has to be cheap, flexible and willing – a contradiction to the efforts of the working class to assure a livelihood.

This is why social policy is for them always a problematic ambition of dealing with the problem of how to respond to these contrary requirements and demands in a consistent manner, in which this is somehow compatible with one another. The problem to which social policy must respond, is thus seen as conflicting "requirements" and "demands" that are placed on their tax-financed social systems. This results in a problem of compatibility and therefor a pressure of rationalization. This problem of "precarious compatibility of its own institutions and performances" (Lenhardt/Offe 1984, p. 104) is than be regarded as the driving force for social policy innovations. In other words, social policy does not simply serve the requirements of the classes and does also not directly respond to their demands but "instead react to the internal structural problems of the welfare state apparatus" (Lenhardt/Offe 1984, p. 105), which leads to the constant need of reform in terms of making policies more effective and efficient ("internal rationalization").

The welfare state is in that perspective a crisis manager (Borchert/Lessenich 2016): Welfare state politics could be seen as a permanent attempt at creative crisis management along – but only within – the system boundaries set by the welfare state formation (Borchert/Lessenich 2004, p. 575). And that can be seen – from this perspective – as the reason why there is a precarious balance between the exhaustion of old concepts and the impossibility of genuinely new solutions (...) which necessarily leads to the recombination of what has already been tested (Borchert/Lessenich 2004, p. 575). So there is no possible combination or adjustment of concepts that could solve the ambivalent character of the welfare state (Offe 1972). And

current tendencies must therefore be described as shifts within the welfare state formation and as alternative interpretations of the politically desired (Borchert/Lessenich 2004).

6   How to make Social Policy more effective

According to Lenhardt/Offe, there are specific rationalisation schemes, which for that reason become an object of social policy development. These are quite interesting, when you take into account that they wrote this paper in the late 1970s. They name prevention, final programs, institutionalized assistance, reprivatisation and scientisation (Lenhardt/Offe 1984, pp. 109ff.)[3].

- Prevention: In order to increase efficiency of socio-political measures the logic of "as early as possible" can be applied to education, work, health for example, and also in the early stages of the live course of children (investing in early childhood education) in order to try reducing the later, so the total costs. Current tendencies of an expansion of the logic of prevention in social policy and social services and the contradictory results have been strongly discussed (e.g. Bröckling 2004, Dollinger 2006).

- Debureaucratization: In order to increase the effectiveness of measures you can replace a strict buerocratic logic of defining abstract conditions with final programs and with this open up the scope for decisions of administrative and professional staff, to proof and decide which demands and needs one has and which are genuinely necessary to get served and in what way: For example which type of job is acceptable for a person to be forced to take, or, if a family really needs a certain program and which fits best to their situation and so on. When have a look at each single case, it is more efficient to decide, and in the end maybe to dismiss certain claims. This strategy on the one hand implied very generally what enabled the development of a social work profession in the first place but also what has recently been discussed as the paedagogisation of social policy (Kessl 2006).

- Service expansion: The third scheme they mention is about increasing services in comparison to cash transfer – in order to have more influence on how people spend their money and conduct their lives. This strategy promises a higher impact and effectiveness, as for example Hemerijck (2013) discusses it for the current expansion of social services.

- Privatisation: They mention reprivatisation as a way to try minimizing fiscal spending and also costs of political conflict by shifting tasks to different types of private financing and organizing. The spread of social impact bonds can be discussed at this point (e.g. Dowling 2017, Dahme/Wohlfahrt 2005) as an attempt to reduce spending on welfare without losing control over the results. Tendencies of (re)privatisation of parent responsibility (Oelkers 2009) can also be sorted to this strategy. While spending in other areas of social policy has been increased (e.g. early education, youth employment assistance) it becomes obvious that just cutting the expenses is not a means but to make social policy more effective.

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[3] Obviously, different welfare states went down different paths concerning these dimensions. Lenhardt/Offe would say, that these different models and constant changes are different versions of attempts on the social policy problem of making itself more efficient and effective. But no combination – in this logic – can ever really meet the contrary demands of society because of their contradictory character. When having a look into the current situation of cash benefit cuts and by this and other measures, the very successful attempt to reduce the national wage levels and therefore the growth of poverty in the so called "rich nations" one could see the current result of the dealing with this rationalization "problem" in states that focus their national production on global competitiveness.

- Scientification: The increasing „scientization of politics" (Lenhardt/Offe 1984, p. 112) can also be seen as another attempt to solve the compatibility problem through recommendations of experts for more effective and efficient social policy programs. Lenhard/Offe argue that this is a way how the political system of decision-making can be unburden: 1. not all opinions and interests have to be considered, but only those with scientific legitimacy and 2. a temporal buffer is established between identification of a problem and the provision of a political solution. As one recent version of this strategy, the rise of Evidence based Policy and Practice must be discussed (Albus/Ziegler 2013).

According to what has been systemized for the Child and Youth Welfare in Germany above, it seems justified to add an element to this list which interferes with these dimension of rationalisation: namely the element of trying to increase efficiency by controlling the effectiveness of social services through the logic of contracts by fixed inclusion-goals as tasks to be fulfilled by the users and also by Child and Youth Welfare institutions. Management tools and evaluative strategies to make sure that social policy pays off come into play. This implicates sanctioning and forcing of young people into fixed and narrow ideas of participation and inclusion, namely into the regular societal systems and institutions of labour market and family.

Furthermore Lenhardt/Offe argue that between social policy measures and laws and their practical output is a kind of gap, where the policies have to be 'translated' into real outcome. Because social policy is the political form of a privately organised economy and society, social policy cannot directly bring about a specific result. They argue, that „the function of ‚shaping society' of state social policy is limited to the definition of the themes, times and methods of conflict and, thus, to the establishment of the political-institutional framework – and not the outcome – of processes of social power." (Lenhardt/Offe 1984, p. 109) Of course the regulatory measures change the levels of care and power potentials of social groups (by setting benefit levels higher and lower and changing the quality of services, accessibility for users, composition of the clientele through administrative reforms etc.). But with most measures, they assume, that the real impact they have, is produced by administrative staff, media, lobby groups and professionals – and it seems necessary to add users to this list. In this respect, this depends decisively on the social power constellations, and therefor also on the sanction and threat potentials of the actors and groups of actors involved:

> „These processes of social implementation may be categorized according to whether (at one extreme) they result in the essentially undistorted attainment of the goals declared in the official ‚policy outputs' of administrators and legislators, or whether (at the other extreme) they encounter more or less organized acts of obstruction by social power groups, which in turn pose fresh consistency problems within the state apparatus and which may possibly require actual repeal of the innovations." (Lenhardt/Offe 1984, p. 107)

7   Conclusions

Lenhardt/Offe's approach argues why fully meeting the needs of users does necessarily not become the content of state-run social policy. If one follows their explanations, one assumes the structural ambivalence (Lessenich 2012) of the welfare state, in which most hopes for 'real' care and facilitation of 'real' freedoms must be dashed. In that sense social policy does not take up a pure and only ethical individualistic perspective, but neither might it only be

focusing on an ethical collectivistic approach. If the welfare state is a 'critical troubleshooter', that aims to maintaining and enabling the working class, then orienting towards participation is the (more or less) innovative strategy to generate citizens that are willing and able to compete actively with the only means they've got, their own labour power (Dahme/Wohlfahrt 2015). Therefore the inclusion into the "normal" systems (regular schools, family, occupation etc.) as well as ones individual activation is indeed a condition.

However, social work is also not referred to a role as a pure fulfilment assistant, but through its function it is rather given scope for action at various levels. On the 'street level' (Lipsky 2010) social workers as critical and reflexive professionals can individually act in the context of a fixed program, what includes the possibility of slight changes of the program itself and its actual achievements. On the level of organisations it is possible to change the implementation of a program from the start or even have influence on the program choice through a powerful negotiation of contract conditions. When it comes to the academic social work, Lenhardt/Offe argue that scientists should not or not only interfere in the political debate about the design of social policy, for example in commenting as scientific experts on a "better", "more effective" approach of a participation orientation, but rather should "grasp the danger of this technocratic misconception" (Lenhardt/Offe 1984, p. 114). That would also mean, it is the task of social policy/social work research rather focus on analysing their users mostly highly deprived living conditions and detect the systemic causes and dynamics of poverty and deprivation and reflect on the own ambivalent position as part of social policy instead of doing research on impact according to political goals.

On the basis of this knowledge a critical social work can point the finger on the unacceptable living conditions of its users. It has to become aware of and increase its fundamental position of power and its threat potential in general, because only this opens up the possibility to broaden the scope for influencing the real effects of social policy programmes and with that shape the real social output of the measures for their and their users benefit. Especially in times of forced participation via inclusion rates this becomes even more relevant for a social work that is involved as a contracting party. Social work needs this fundamental strength in order to be able to collectively refuse contract offers, which only comprise forced activation of users under precarious conditions.

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Author's Addresses:
Stefanie Albus, Dipl.Päd.
Bielefeld University, Germany
Fakultät für Erziehungswissenschaft, AG 8 Soziale Arbeit
stefanie.albus@uni-bielfeld.de

Bettina Ritter, Dipl.Päd.
Bielefeld University, Germany
Fakultät für Erziehungswissenschaft, AG 8 Soziale Arbeit
bettina.ritter@uni-bielefeld.de
https://www.uni-bielefeld.de/erziehungswissenschaft/ag8/